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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

MAHMOUDI, HASSAN

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 01/30/2004

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/608,612

Applicant(s)

KESKAR ET AL.

Examiner

Tony Mahmoudi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____

- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2100

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's Request for Continued Examination (RCE) submission as well as the preliminary amendments filed on 29-December-2003 have been entered.

Remarks

2. In response to communications filed on 29-December-2003, claims 1-22 are cancelled, and new claims 23-50 are added per applicant's request. Therefore, claims 23-50 are presently pending in the application.

Claim Objections

3. Claims 29-31, and 43-45 are objected to because of the following informalities:

In line 4 of claims 29, 30, 31, 43, 44, and 45: "and" needs to be replaced with --or--, since the preamble of the claims recite "one of" in line 2 of each referenced claim.

Corrections are required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 23-27, 30-41, and 44-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fohn et al (U.S. Patent No. 6,460,025) in view of de Hita et al (U.S. Patent No. 6,081,774.)

As to claim 23, Fohn et al teaches a method (see Abstract) comprising:

recognizing a change to content of a user-populated group (see column 16, lines 58-62), the content of the user-populated group comprising identifiers of a first set of items stored in memory (see column 16, lines 19-36); and

generating a query in response to the change (see column 20, lines 33-37), the query being based on characteristics of the first set of items (see column 20, lines 37-43, where “characteristics of the first set of items” is read on “operations which comprise the computations”.)

Fohn et al does not teach applying the query to an item space to identify a second set of items; and he does not teach populating a second group with identifiers of the second set of items [although Fohn et al teaches “moving entities from one group to another (see column 22, lines 5-29, where “cameras” are “moved” between “relevant and irrelevant groups”.)]

de Hita et al teaches a natural language information retrieval system (see Abstract), in which she teaches applying the query (see column 2, lines 43-46) to an item space to identify a second set of items (see column 2, lines 52-58, where “identifying” is read on “locating”); and populating a second group with identifiers of the second set of items (see column 3, line 51 through column 4, line 11.)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Fohn et al to include applying the query to an item space to identify a second set of items; and populating a second group with identifiers of the second set of items.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Fohn et al by the teachings of de Hita et al, because including applying the query to an item space to identify a second set of items; and populating a second group with identifiers of the second set of items, would enable the user to query a first set of items and generate a second set of items based on the query results, in order to refine the set of items according to the user’s requirements (e.g. grouping items based on relevancy factor, frequency of usage, etc.)

As to claims 24 and 38, Fohn et al as modified teaches wherein the user-populated group comprises a related-items group (see Fohn et al, column 4, lines 7-10, and lines 38-46), and wherein the first set of items share at least one characteristic with the second set of items (see Fohn et al, column 4, lines 47-54.)

As to claims 25 and 39, Fohn et al as modified teaches wherein the user-populated group comprises a not-related-items group (see Fohn et al, column 4, lines 37-46), and wherein the first set of items each have at least one characteristic that is not shared with any of the second set of items (see Fohn et al, column 8, lines 7-12.)

As to claims 26 and 40, Fohn et al as modified teaches wherein the user-populated group comprises two subgroups, the subgroups comprising a related-items group and a not-related-items group (see Fohn et al, column 22, lines 5-29, where “subgroup” is read on “sub-categories”).

As to claims 27 and 41, Fohn et al as modified teaches wherein generating the query comprises:

finding positive characteristics among items indicated in the related-items group (see Fohn et al, column 4, lines 7-10, where “positive characteristics” is read on “entities that are relevant”);

assigning a positive relevance to each positive characteristic based on a weighted occurrence of a respective positive characteristic among the items indicated in the related-items group (see Fohn et al, Abstract, and see column 8, lines 25-38, where positive characteristics based on weighted occurrence” is read on “calculation of relevance based on existence of association”);

finding negative characteristics among items indicated in the not-related items group (see Fohn et al, column 4, lines 38-46); and

assigning a negative relevance to each negative characteristic based on a weighted occurrence of a respective negative characteristic among the items indicated in the not-related-items group (see Fohn et al, column 4, lines 38-46, where “finding negative characteristics” is read on “computing the structural relevance” and on “determining a dynamic set of weakly relevant and irrelevant entities”).)

As to claims 30 and 44, Fohn et al as modified teaches wherein recognizing the change comprises one of:

recognizing when one of the identifiers of the first set of items has been moved from the related-items group to the not-related-items group (see Fohn et al, column 22, lines 5-29); or

recognizing when one of the identifiers of the first set of items has been moved from the not-related-items group to the related-items group (see Fohn et al, column 22, lines 5-29.)

As to claims 31 and 45, Fohn et al as modified teaches wherein recognizing the change comprises one of:

recognizing when any identifier has been deleted from the user-populated group; or

recognizing when a new identifier has been added to the user-populated group (see Fohn et al, column 22, lines 5-29, where “adding” or “deleting” is read on “moving” entities from one category [deleting] into another category [adding]).”

As to claims 32 and 46, Fohn et al as modified teaches wherein the user-populated group and the second group comprise a first organizational instance among a plurality of

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organizational instances, each of the plurality of organizational instances is based on a different set of target characteristics (see Fohn et al, column 7, lines 64-65, and see column 8, lines 52-56, where “organizational instances” is read on “instances of the category nodes”).)

As to claims 33 and 47, Fohn et al as modified teaches wherein recognizing the change comprises:

recognizing when a new identifier has been added to the user-populated group from a second organization instance (see Fohn et al, column 11, line 56 through column 12, line 14.)

As to claims 34 and 48, Fohn et al as modified teaches the method further comprising:
recognizing additional changes to the content of the user-populated group (see Fohn et al, column 16, lines 58-62); and

repeating the generating, applying, and populating for each of the additional changes
(applicant is kindly directed to the remarks and discussions made in claims 23 above.)

As to claims 35 and 49, Fohn et al as modified teaches wherein the item space comprises at least one of documents, files, emails, tasks, notes, instant messages, contacts, and web pages stored in memory (see Fohn et al, column 19, lines 25-34.)

As to claims 36 and 50, Fohn et al as modified teaches the method further comprising:
storing the user-populated group (see Fohn et al, column 9, lines 57-60);

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recalling the user-populated group following a change in the item space (see Fohn et al, column 17, lines 45-48, where “recalling” is read on “getting the node”);

regenerating the query (see de Hita et al, column 2, lines 43-57;)

applying the query (see de Hita et al, column 2, lines 43-46) to the item space to identify an updated set of items (see de Hita et al, column 2, lines 52-58, where “identify” is read on “locate”); and

repopulating the second group with identifiers of the updated set of items (see de Hita et al, column 3, line 51 through column 4, line 11.)

As to claim 37, Fohn et al teaches a machine readable medium (see Abstract) having stored thereon machine executable instructions, the execution of which to implement a method (see column 24, lines 36-41) comprising:

recognizing a change to content of a user-populated group, the content of the user-populated group comprising identifiers of a first set of items stored in memory;

generating a query in response to the change, the query being based on characteristics of the first set of items;

applying the query to an item space to identify a second set of items; and

populating a second group with identifiers of the second set of items (for the teachings of the above limitations, the applicant is kindly directed to the remarks and discussions made in claim 23 above.)

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6. Claims 28-29 and 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fohn et al (U.S. Patent No. 6,460,025) in view of de Hita et al (U.S. Patent No. 6,081,774), as applied to claims 23-27, 30-41, and 44-50 above, and further in view of Zhai (U.S. Patent No. 6,463,434.)

As to claims 28 and 42, Fohn et al, as modified teaches wherein applying the query comprises:

finding target items from the item space that include at least a certain number of the positive characteristics (see Fohn et al, column 4, lines 38-54.)

• Fohn et al as modified still does not teach:

assigning a relevance score to each target item based on the positive relevances and the negative relevances of a respective target item's characteristics; and

selecting items to populate the second set of items from among the target items based on the relevance scores.

Zhai teaches a method for profile score threshold setting (see Abstract), in which he teaches assigning a relevance score to each target item based on the positive relevances and the negative relevances of a respective target item's characteristics (see column 2, lines 55-62); and selecting items to populate the second set of items from among the target items based on the relevance scores (see column 4, lines 25-32.)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Fohn et al as modified, to include assigning a relevance score to each target item based on the positive relevances and the negative relevances of a respective target item's characteristics; and

selecting items to populate the second set of items from among the target items based on the relevance scores.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Fohn et al as modified, by the teachings of Zhai, because assigning a relevance score to each target item based on the positive relevances and the negative relevances of a respective target item's characteristics; and selecting items to populate the second set of items from among the target items based on the relevance scores, would enable the system to measure relevancy of data elements and group the data elements into various categories based on their relevance score, for an effective and fast retrieval of information categories based on their relevance to the "example" data entered by the user.

As to claims 29 and 43, Fohn et al as modified teaches wherein selecting items to populate the second set (see Fohn et al, column 22, lines 5-29, and see de Hita et al, column 3, line 51 through column 4, line 11) comprises one of:

selecting all of the target items;

selecting a certain number of the target items; or

selecting only target items that have a relevance score over a certain threshold (see Zhai, column 4, lines 25-32.)

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Response to Arguments

7. Applicant's arguments filed on 29-December-2003 with respect to the rejected claims in view of the cited references have been fully considered but they are moot in view of the new grounds for rejection.


Conclusion

8. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (703) 305-4887. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

tm

January 22, 2004


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